



4-27-04

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PTO/SB/21 (08-00)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/628,281	
	Filing Date	July 28, 2003	
	First Named Inventor	Michael P. Harrold	
	Group Art Unit	2816	
	Examiner Name	To Be Assigned	
Total Number of Pages in This Submission	9	Attorney Docket Number	5010-036-01

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition For Extension of Time <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> After Allowance Communication to Group	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Acknowledgement Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (<i>please identify below</i>): Submission of Substitute Declaration with executed Substitute Declaration
Remarks		Customer No. 35411

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Leonard D. Bowersox
Signature	
Date	April 26, 2004

CERTIFICATE OF MAILING

Date: April 26, 2004 Label No. EV 348582263 US
I hereby certify that, on the date indicated above, I deposited this paper with identified attachments and/or fee with the U.S. Postal Service and that it was addressed for delivery to Mail Stop DD, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, by "Express Mail Post Office to Addressee" service.

Type or printed name	Sandra Stocklinski		
Signature		Date	April 26, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which his to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Commissioner for Patents, Washington, D.C. 20231.

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Sandra Stocklinski

Sandra Stocklinski

Name of Person signing Certificate

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/628,281	Confirmation No.:	4709
Applicant	:	Michael P. Harrold		
Filed	:	July 28, 2003		
TC/A.U.	:	2816		
Examiner	:	To be Assigned		
Attorney Docket No.	:	5010-036-01		
Customer No.:		35411		

SUBMISSION OF SUBSTITUTE DECLARATION

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

April 26, 2004

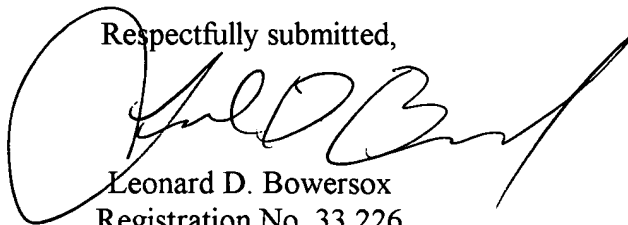
Sir:

Applicant herewith submits an executed Substitute Declaration for the application listed above. The document correctly lists the filing date of U.S. Provisional Applications Nos. 60/398,852 and 60/398,778 as July 26, 2002.

Should any fees be due in connection with the filing of this Substitute Declaration, please charge such fees to USPTO Deposit Account No. 50-0925.

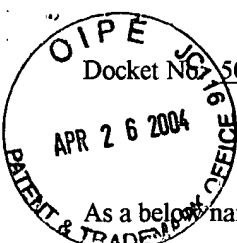
Should any official at the U.S. Patent and Trademark Office deem that any further action is necessary in connection with the new appointment of legal representation, the appropriate official is invited to telephone the undersigned at the number set forth below.

Respectfully submitted,



Leonard D. Bowersox
Registration No. 33,226

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Enclosure: Executed Substitute Declaration



Docket No. 5010-036-01

KILYK & BOWERSOX, P.L.L.C.

Declaration for U.S. Patent Application

As a below named inventor, We/I hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We/I believe We/I are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention **entitled MICROFLUIDIC DEVICE INCLUDING PURIFICATION COLUMN WITH EXCESS DILUENT, AND METHOD**, the application of which is attached hereto unless the following is checked

- ☒ was filed on July 28, 2003, as United States Application Number 10/628,281
(issued on _____ as U.S. Patent No. _____);
☐ and was amended on _____ (if applicable).

We/I hereby state that We/I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

We/I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

We/I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

(List prior foreign applications)

Priority Claimed

Yes ___ No

(Number) (Country) (Day/Month/Year Filed)

Yes ___ No

(Number) (Country) (Day/Month/Year Filed)

Yes ___ No

(Number) (Country) (Day/Month/Year Filed)

Yes ___ No

(Number) (Country) (Day/Month/Year Filed)

___ See attached list for additional prior foreign applications

We/I hereby claim the benefit under Title 35, United States Code, § 120 or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, We/I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List Prior U.S. Applications)

60/398,852
(Appln. Serial No.)

July 26, 2002
(Filing Date)

Abandoned
(Status: Patented, Pending, Abandoned)

60/398,778
(Appln. Serial No.)

July 26, 2002
(Filing Date)

Abandoned
(Status: Patented, Pending, Abandoned)

10/414,179
(Appln. Serial No.)

April 14, 2003
(Filing Date)

Pending
(Status: Patented, Pending, Abandoned)

10/426,587
(Appln. Serial No.)

April 30, 2003
(Filing Date)

Pending
(Status: Patented, Pending, Abandoned)

We/I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Scott R. Bortner, Reg. No. 34,298; John W. Burns, Reg. No. 43,520; Andrew K. Finn, Reg. No. 54,097; Jeffery D. Frazier, Reg. No. 34,601; Paul D. Grossman, Reg. No. 36,537; Vincent P. Liptak, Reg. No. 53,225; Phil N. Makrogiannis, Reg. No. 47,766; Hugh J. Pasika, Reg. No. 54,362; Vincent M. Powers, Reg. No. 36,246; Leonard D. Bowersox, Reg. No. 33,226; and Luke A. Kilyk, Reg. No. 33,251

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We/I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(See note C above)

Full name of first inventor (given name, family name) Michael P. HARROLD

Inventor's signature  Date 4-16-04

Residence 511 Sonora Drive, San Mateo, California 94402 Citizenship United States of America

Post Office Address Same as above

Full name of second inventor (given name, family name) _____

Inventor's signature _____ Date _____

Residence _____ Citizenship _____

Post Office Address _____

Full name of third inventor (given name, family name) _____

Inventor's signature _____ Date _____

Residence _____ Citizenship _____

Post Office Address _____

Full name of fourth inventor (given name, family name) _____

Inventor's signature _____ Date _____

Residence _____ Citizenship _____

Post Office Address _____